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August 7, 2009

Dean K. Matsuura
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Hawaiian Electric Company, Inc.
P.O. Box 2750
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Gregg J. Kinkley, Esq.
Deputy Attorney General
Department of the Attorney General State of Hawaii
425 Queen Street
Honolulu, Hawaii 96813

Re: Docket No. 2008-0274 – Proceeding to Investigate Implementing a Decoupling Mechanism for Hawaiian Electric Company, Inc., Hawaii Electric Light Company, Inc., and Maui Electric Company, Limited ("HECO Companies")

Dear Messrs. Matsuura and Kinkley:

On July 15, 2009, the Commission issued post-hearing information requests ("IRs") that were prepared by its consultant, the National Regulatory Research Institute ("NRRI"). The Commission directed the HECO Companies to respond to the first six IRs within 14 days of the date of the letter (i.e., by July 31, 2009);¹ and all Parties² in this

¹In accordance with Hawaii Administrative Rules ("HAR") § 6-61-21(e), because the Commission served the IRs by mail, two days are added to the prescribed period.

²"Parties" collectively refers to: the HECO Companies, the Department of Commerce and Consumer Affairs, Division of Consumer Advocacy, the Department of Business, Economic Development, and Tourism ("DBEDT"), Haiku Design and Analysis, Hawaii Renewable Energy Alliance, Hawaii Solar Energy Association, and Blue Planet Foundation. In addition, Hawaii Holdings, LLC dba First Wind Hawaii is a participant in this docket.

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proceeding to respond to the remaining IRs within 28 days of the date of the letter (i.e., August 14, 2009).³

At the HECO Companies' request, a conference call was held on July 31, 2009 with NRRI to discuss and clarify certain IRs.⁴ By letter filed on July 31, 2009, the HECO Companies stated that, as a result of the conference call, additional time is required to respond to all of the IRs. The HECO Companies therefore requested a one-week extension of time (i.e., from July 31, 2009 to August 7, 2009) for the HECO Companies to respond to the first six IRs, and a corresponding one-week extension of time (i.e., from August 14, 2009 to August 24, 2009)⁵ for the Parties to respond to the remaining IRs.

Thereafter, by letter filed on August 5, 2009, DBEDT requested a two-week extension of time, from August 24, 2009 to September 7, 2009, for the Parties to file opening briefs in this docket. DBEDT explained:

While DBEDT understands and does not object to the [HECO Companies'] need for additional time [to respond to the IRs], we note however that this particular adjustment has caused the Parties' responses to the post-hearing IRs to be due on the same day (August 24, 2009) as the opening briefs for this docket. If approved by the Commission, the Parties would not have the opportunity to review and evaluate the responses to the post-hearing IRs before their opening briefs are written. This would deprive the Commission and the Parties of the benefit of a full exploration and understanding of all the issues in order to produce the most thorough opening briefs on the relevant issues.⁶

³See footnote 1

⁴All Parties were invited to participate in the call, although participation was not required.

⁵A one-week extension of time falls on August 21, 2009, which is a State holiday. Pursuant to HAR § 6-61-22, the next day that is not a weekend or holiday -- Monday, August 24, 2009 -- shall be the due date.

⁶Letter filed on August 5, 2009, from DBEDT to the commission, at 1.

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The Commission will treat the HECO Companies' July 31, 2009 letter, and DBEDT's August 5, 2009 letter as motions for extensions of time ("Motions") under HAR §§ 6-61-23 and 6-61-41. HAR § 6-61-23(a)(1) allows the Commission to enlarge a period by which a required act must be completed upon a showing of good cause provided that a written request is made before the expiration of the period originally prescribed.⁷

After reviewing the entire record, the Commission grants the Motions and approves the following extensions of time in this docket: (1) the HECO Companies shall have until August 7, 2009 to file responses to the first six post-hearing IRs; (2) the Parties shall have until August 24, 2009 to file responses to the remaining post-hearing IRs; (3) opening briefs shall be filed by September 8, 2009;⁸ and (4) reply briefs shall be filed three weeks after the filing of opening briefs, or by September 29, 2009.

If you have any questions or concerns, please contact Kaiulani Shinsato at 586-2019.

Sincerely,



Carlito P. Caliboso
Chairman

CPC:KKS:ps

c: Consumer Advocate
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⁷Motions that do not involve the final determination of a proceeding may be determined by the chairperson or commissioner. See HAR § 6-61-41(e).

⁸DBEDT's requested extended deadline of September 7, 2009 is a State holiday. Therefore, the Commission determines the filing deadline to be the next business day, Tuesday, September 8, 2009.